



Atty. Dkt. No. 060641-0107

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Shunichi SOMA et al.
Title: ORTHODONTIC REMEDIES
CONTAINING PTH
Appl. No.: 09/344,382
Filing Date: 06/25/1999
Examiner: David S. Romeo
Art Unit: 1647

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals from the decision of the final rejection dated October 23, 2003, of the Examiner finally rejecting Claims 22-28, 45 and 49-51.

- ☐ Applicant claims small entity status.
- ☒ Applicants hereby petition for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:
- ☒ Notice of Appeal Fee
- ☒ To be paid as detailed below
- ☐ Not required (Fee paid in prior appeal)

04/23/2004 CNGUYEN 00000052 09344382

02 FC:1401

330.00 OP

The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$330.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$950.00
<input type="checkbox"/>	Extension:	\$0.00
	FEE TOTAL:	\$1280.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$1280.00

- ☐ Please charge Deposit Account No. 19-0741 in the amount of \$1280.00 . A duplicate copy of this transmittal is enclosed.
- ☒ A check in the amount of \$1280.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,



Date April 22, 2004

FOLEY & LARDNER LLP
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5143
Telephone: (202) 672-5446
Facsimile: (202) 672-5399

Matthew E. Mulkeen
Attorney for Applicants
Registration No. 44,250